



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

March 18, 2013

0608-REZ-06

Exhibit 1

Petition Number: 0608-REZ-06

Petitioner: Beazer Homes, Indiana

Representative: Steve Hardin, Faegre Baker Daniels

Request: A modification to the written commitments associated with the rezoning of property, as approved by Ordinance 06-50 and amended by Resolution 11-05

Current Zoning: SF-2 (with commitments)

Current Land Use: Vacant

Approximate Acreage: 40

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Proposed Modification to Commitments, 03/15/13
4. Proposed Modification to Commitments (Redline Version), 03/15/13
5. Originally-Proposed Landscaping Plan, 02/26/13
6. Currently-Proposed Landscaping Plan, 03/14/13
7. Proposed Home Elevations, 02/26/13

Staff Reviewer: Kevin M. Todd, AICP

Petition History

This petition was introduced at the February 11, 2013 City Council meeting and appeared before the Technical Advisory Committee on February 19, 2013. It received a public hearing at the March 4, 2013 Advisory Plan Commission (the "APC") meeting.

Procedural

The APC may make a recommendation on the proposal at the March 19, 2013 APC meeting.

Project Location

The subject property is approximately 40 acres in size and is located at the southeast corner of 169th Street and Carey Road (the "Property").

Property History

The Property was rezoned from AG-SF1 to SF-2 with commitments in 2006 (Ordinance 06-50). In 2007, a development plan and plat was approved for the Walnut Ridge Estates subdivision. Construction began on infrastructure, but no homes were built. In 2011, the commitments were amended by a home builder. The modified commitments included more detailed development standards, a conceptual landscaping plan, and specific home elevations (the "2011 Modification"). Since the 2011 Modification, there has been no construction activity on the Property.

Project Description

The current proposal is to modify the commitments that are associated with the Walnut Ridge Estates project. The petitioner is requesting only the two following modifications:

1. Modify the conceptual landscaping plan. The Property is bisected by pipelines, running in a northeast to southwest direction. The pipeline company will not allow plantings within the easements for the pipelines. The conceptual landscaping plan that was included with the 2011 Modification depicted plants within those easements. The proposed modified conceptual landscaping plan shows those easements free from landscaping. The proposed plan also depicts new trees to be planted in the eastern buffer (along Brookside), extending the buffer beyond the previously-established tree preservation area.
2. Replace the building elevations. The 2011 Modification included building elevations that were specific to the builder at that time. The petitioner, Beazer Homes, does not build the exact homes that were committed to by the 2011 petitioner. Therefore, the proposal is to replace the previous home elevations with the petitioner's home elevations.

No other commitments from the 2011 Modification are proposed to change.

Modifications since the Public Hearing

There have been two substantive changes to the proposal since the Public Hearing, a follows:

1. In response to comments made during the Public Hearing on March 4, 2013, the petitioner has met with City staff and neighbors regarding enhancements to the buffer and screening along the eastern perimeter (adjacent to the Brookside subdivision). An existing ten (10) foot landscape/tree preservation easement runs along the east perimeter of the project. Existing trees within this area are to be preserved. An existing ten (10) foot drainage easement abuts and parallels the west side of the landscape/tree preservation easement. The drainage easement contains drainage infrastructure that has already been constructed and installed. After meeting on-site with City staff, it was determined that additional buffer/screening plantings cannot be planted within the drainage easement. This means that any additional buffer/screening has to occur within the ten (10) foot landscape/tree preservation easement. The petitioner has submitted a revised landscape plan that depicts a single row of Norway spruce trees being planted along the full length of the landscape/tree preservation easement. The trees are to be a minimum height of seven (7) feet and are to be spaced at an interval of fourteen (14) feet (on-center).
2. The petitioner has added the following language to the commitments, in reference to the proposed home elevations: "The attached home elevations are illustrative examples and general representations. Additional elevations for each floor plan will be substantially similar in quality and character." The Commission may wish to discuss this modification at the Advisory Plan Commission meeting on March 18, 2013.

Staff Recommendation

If the Advisory Plan Commission is satisfied with the proposal, forward the proposed modification of the Walnut Ridge Estates Commitments to the City Council with a favorable recommendation.